



DPW

TA-611

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

NIGEL DOE

Serial No.: 10/617,712

Filed: July 14, 2003

For: DEVICES, SYSTEMS AND
METHODS FOR SENSING
TEMPERATURE OF A DRAG CUP
IN A RHEOMETER MOTOR

Art Unit: 2834

Examiner: LAM, Thanh

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on April 15, 2004, Applicants hereby provisionally elect, with traverse, species A, Figs. 1a-1e for initial examination in the present application. However, because Applicant respectfully submits that claims 1, 8, 14, and 22 are generic to all species A-H, Applicant respectfully traverses the election requirement.

Independent claims 1, 8, 14, and 22 read on the elected species and are generic to all of species A-H outlined in the Office Action. Further all of the dependent claims read on the elected species and the associated descriptions of the elected species in the present specification.

Applicants respectfully traverse the election requirement because claims 1, 8, 14, and 22 are generic to all species listed. In one aspect, this is clearly shown because the alleged species listed by the Examiner merely show further detail of various aspects shown in Figs. 1a-1e. For

example, Fig. 2 as described in paragraph 36 details that "accommodating structure 211 that mates with base projection 130a is shown..." Also, as an example, at paragraph 38, "outer cap 350 allows for a secure fit of motor core holder 300 with respect to a top opening of motor housing 110." References to Figs. 1a-1e exist throughout the specification as to how each of the various figures relate back to Figs. 1a-1e. Consequently, Applicant respectfully submits that a thorough and complete search for species A would necessarily encompass a thorough and complete search for non-elected species B-H. Accordingly, it is respectfully requested that the election requirement be withdrawn and that all alleged species claimed herein be examined.

Applicant further wishes to correct for the record an apparent mistake in the Office Action. The Election of Species dated April 15, 2004 refers to an attempt to procure election by telephone to Fariborz Moazzam on April 8, 2004. However, Mr. Moazzam left Shaw Pittman in July of 2003, and therefore was not a proper contact for this attempted procurement of election. Applicant's undersigned representative contacted Mr. Moazzam, who stated that he did not recall being contacted in relation to this election requirement.

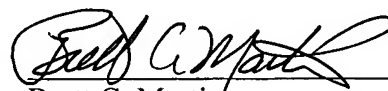
SHAW PITTMAN LLP
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Date: May 13, 2004

Respectfully submitted,

NIGEL DOE

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DCI/BCM/dkp

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